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8 IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA  
9

10 IN RE: )  
11 DEARBORN VILLAGE, LLC, ) No. 17-60707  
) (Chapter 11  
12 Debtor. )

13  
14 **MOTION FOR EXPEDITED SALE OF LOT 3, FREE AND CLEAR OF LIENS,**  
15 **REQUEST FOR EXPEDITED HEARING; AND NOTICE**

16 COMES NOW, the Debtor-in-Possession, Dearborn Village, LLC, by and through its  
17 counsel of record, Gary S. Deschenes and hereby moves the Court for an expedited order  
18 allowing Debtor-in-Possession to sell the real property located at 422-424 Dearborn Avenue,  
19 Helena, Lewis and Clark County, Montana, free and clear of liens, pursuant to 11 U.S.C. §363(f).  
20 In support of this Motion, Debtor informs the Court as follows:

21 1. This Court previously approved the sale of property located at 410-418.5  
22 Dearborn Avenue, Helena, Lewis and Clark County, Montana, by Order dated September 22,  
23 2017, Docket No. 48. The date of contingent approval by the Bank has been extended pursuant  
24 to the Stipulation filed at Docket No. 59.

25 2. There is an issue regarding the payment of property taxes that has to be resolved  
26 before that sale can close. Debtor has obtained a Buy-Sell offer from Wilson Rental Properties  
27 LLC for the property located at 422-424 Dearborn Avenue, Helena, Lewis and Clark County,  
28 Montana, for the sum of \$30,000.00. The proceeds from the sale of this property shall be used to

1 pay the property taxes owing on both properties. A copy of said Buy-Sell Agreement is attached  
2 hereto as Exhibit "A" and incorporated herein.

3 3. The sales are expected to close on either November 28 or 29, 2017.

4 4. Previously, there was also an issue with the Construction Liens filed by Harvey  
5 Cole, d/b/a Harvey Cole Construction, LLC. Mr. Cole filed an additional Construction Lien on  
6 September 22, 2017. Mr. Cole has now signed a release of said Construction Liens. A copy of  
7 the release of lien is attached hereto as Exhibit "B" and incorporated herein.

8 5. At closing, secured creditors, Lewis and Clark County and First Community  
9 Bank, shall be paid sufficient sums from the sale to satisfy the obligations to them.

10 6. If the sale is not timely approved, Debtor-in-Possession's estate may suffer  
11 irreparable harm. If the sale is approved, the undisputed secured creditors will not be harmed as  
12 they will be paid.

13 7. There are currently no tenants occupying the properties located at 422-424  
14 Dearborn Avenue, Helena, Montana.

15 8. Debtor has attempted to sell the subject property for over a year, but has been  
16 unsuccessful. Debtor has received assistance from Eugene Meegan, a former Realtor and  
17 husband of Marianne Meegan, the sole shareholder of Debtor.

18 In particular, Debtor received four other offers that were below the current offer attached  
19 hereto. Debtor's representative, Eugene Meegan, was a former Realtor in Helena, working for  
20 Bill Walker Realty. The property was originally purchased through Brokers First Realty of  
21 which Allen Bock is a principal. Mr. Bock has remained a friend of the Meegans and has been  
22 consulted regarding the property. Mr. Bock would have listed the property if the remodeling  
23 would have been completed. Some of the units have been gutted and some remain to be  
24 finalized.

25 The Meegans have also consulted with Joseph Bower who is a real estate investor and  
26 owns multiple properties. Mr. Bower is a former president of US Bank in Helena.

